

**IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA**

**GRADY O. HUMPHREYS, et al.,**

**PLAINTIFFS**

**vs.**

**CIVIL ACTION NO. 2:07-CV-607-WKW**

**A. O. SMITH ELECTRICAL PRODUCTS  
COMPANY, a division of A. O. SMITH  
CORPORATION, et al.,**

**DEFENDANTS**

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**OGLEBAY NORTON COMPANY'S JOINDER IN SUNBEAM PRODUCTS, INC.'S  
MOTION TO DISMISS, OR IN THE ALTERNATIVE, MOTION TO SEVER AND FOR  
MORE DEFINITE STATEMENT AND SUPPORTING MEMORANDUM OF LAW**

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COMES NOW Defendant, Oglebay Norton Company, by and through undersigned counsel, and hereby joins in and adopts the Motion to Dismiss, or in the Alternative, Motion to Sever and For More Definite Statement and Supporting Memorandum of Law filed on April 30, 2008, by Defendant, Sunbeam Products, Inc. By so joining, Oglebay Norton Company does not waive any defenses otherwise available to it.

THIS 9<sup>th</sup> day of June, 2008.

Respectfully submitted,

Oglebay Norton Company

By: s/ Cyrus C. Barger, III

Cyrus C. Barger, III, AL Bar #BAR137

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**CERTIFICATE OF SERVICE**

I, Cyrus C. Barger, III, counsel for Oglebay Norton Company, do hereby certify that I have this day electronically filed, a true and correct copy of the above and foregoing Oglebay Norton Company's Joinder in Sunbeam Products, Inc.'s Motion to Dismiss, or in the Alternative, Motion to Sever and For More Definite Statement and Supporting Memorandum of Law with the Clerk of the Court and Plaintiff's counsel and have served all known Defense counsel via e-transmission.

THIS, 9<sup>th</sup> day of June, 2008.

s/ Cyrus C. Barger, III  
Cyrus C. Barger, III